



[4910-13]

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

**Docket No. FAA-2015-7484; Airspace Docket No. 15-AGL-24**

**Amendment of Class E Airspace for the following Minnesota towns:**

**Rochester, MN; and St. Cloud, MN**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends the legal description of the Class E surface area airspace and Class E airspace designated as an extension, at Rochester International Airport, Rochester, MN, and St. Cloud Regional Airport, St. Cloud, MN, eliminating the Notice to Airmen (NOTAM) part-time status. This action also updates the geographic coordinates of Rochester International Airport to coincide with the FAA's aeronautical database.

**DATES:** Effective 0901 UTC, March 31, 2016. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.9Z, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/).

For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C., 29591; telephone: 202-267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.9Z at NARA,

call 202-741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal-regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html).

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX, 76177; telephone (817) 222-5711.

**SUPPLEMENTARY INFORMATION:**

**Authority for this Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends controlled airspace at Rochester International Airport, Rochester, MN and St. Cloud Regional Airport, St. Cloud, MN.

**History**

In a review of the airspace, the FAA found the Class E surface airspace and Class E airspace designated as an extension, for Rochester International Airport, Rochester, MN, and St. Cloud Regional Airport, St. Cloud, MN, as published in FAA Order 7400.9Z, Airspace Designations and Reporting Points, does not require part time status. This is an administrative

change removing the part time NOTAM information from the legal descriptions for the above airports.

Class E airspace designations are published in paragraph 6002 and 6004 of FAA Order 7400.9Z dated August 6, 2015, and effective September 15, 2015, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

### **Availability and Summary of Documents for Incorporation by Reference**

This document amends FAA Order 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015. FAA Order 7400.9Z is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.9Z lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

### **The Rule**

This action amends Title 14, Code of Federal Regulations (14 CFR) part 71 by eliminating the NOTAM information that reads, “This Class E airspace is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.” from the regulatory text of Class E surface area airspace and Class E airspace designated as an extension to Class D, at Rochester International Airport, Rochester, MN, and St. Cloud Regional Airport, St. Cloud, MN. Additionally, the geographic coordinates of the Rochester International Airport are being updated to coincide with the FAA’s aeronautical database.

This is an administrative change amending the description for the above Minnesota airports to be in concert with the FAA’s aeronautical database, and does not affect the

boundaries, or operating requirements of the airspace; therefore, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

### **Regulatory Notices and Analyses**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5-6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

### **Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (Air).

### **Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

**PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, effective September 15, 2015, is amended as follows:

6002. Class E Airspace Designated as Surface Areas.

\* \* \* \* \*

**AGL MN E2 Rochester, MN (Amended)**

Rochester International Airport, MN  
(lat. 43°54'30"N., long. 92°30'00"W.)  
Rochester VOR/DME  
(lat. 43°46'58"N., long. 92°35'49"W.)

Within a 4.3-mile radius of Rochester International Airport, and within 3.1 miles each side of the Rochester VOR/DME 028° radial, extending from the 4.3-mile radius to 7 miles southwest of the airport.

**AGL MN E2 St. Cloud, MN (Amended)**

St. Cloud Regional Airport, MN  
(lat. 45°32'48"N., long. 94°03'36"W.)  
St. Cloud VOR/DME  
(lat. 45°32'58"N., long. 94°03'31"W.)

Within a 4.1-mile radius of St. Cloud Regional Airport and within 2.4 miles each side of the St. Cloud VOR/DME 143° radial, extending from the 4.1-mile radius to 7.2 miles southeast of the airport.

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# 6004. Class E Airspace Areas Designated as an Extension to a Class D or Class E

Surface Area.

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## **AGL MN E4 Rochester, MN (Amended)**

Rochester International Airport, MN

(lat. 43°54'30"N., long. 92°30'00"W.)

Rochester VOR/DME

(lat. 43°46'58"N., long. 92°35'49"W.)

That airspace extending upward from the surface within 3.1 miles each side of Rochester VOR/DME 028° radial, extending from the 4.3-mile radius to 7 miles southwest of the airport.

## **AGL MN E4 St. Cloud, MN (Amended)**

St. Cloud Regional Airport, MN

(lat. 45°32'48"N., long. 94°03'36"W.)

St. Cloud VOR/DME

(lat. 45°32'58"N., long. 94°03'31"W.)

That airspace extending upward from the surface within 2.4 miles each side of St. Cloud VOR/DME 143° radial extending from the 4.1-mile radius of St. Cloud Regional Airport to 7.2 miles southeast of the airport.

Issued in Fort Worth, Texas, on January 27, 2016.

Robert W. Beck

Manager, Operations Support Group

ATO Central Service Center

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